



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

शिमला, मंगलवार, 13 नवम्बर, 1962/22 कार्तिक, 1884

HIMACHAL PRADESH ADMINISTRATION

HOME DEPARTMENT

NOTIFICATION

Simla-4, the 12th November, 1962

No. 14-7/62-Home.—In exercise of the powers conferred by section 8 of the Bombay Home Guards Act, 1947, as extended to the Union Territory of Himachal Pradesh the Lieutenant Governor, Himachal Pradesh is pleased to make the following rules, namely:—

1. *Short title.*—These rules may be called the Himachal Pradesh Home Guards Rules, 1962.

2. *Definitions.*—In these rules unless the context otherwise requires.—

- (1) 'Act' means the Bombay Home Guards Act of 1947, as extended to the Union Territory of Himachal Pradesh.
- (2) 'Lieutenant Governor' means the Lieutenant Governor of Himachal Pradesh.
- (3) 'Commandant' means a Commandant of Home Guards appointed under section 2.
- (4) 'Commandant General' means the Commandant General appointed under section 2.

- (5) 'Form' means a form appended to these rules.
- (6) 'Home Guards' means the Himachal Pradesh Home Guards constituted under section 2.
- (7) 'Member of Home Guards' means a member appointed under section 3.
- (8) 'Section' means a section of the Act.

3. *Appointment of a member of Home Guards.*—No person shall be appointed as a member of the Home Guards unless:—

- (a) he has attained the age of 18 years and is below the age of 60 years;
- (b) he has passed at least the fourth primary examination; and
- (c) he has been medically examined in accordance with the directions of the Commandant General and is in the opinion of the Commandant physically fit.

Provided that the Commandant General or the Commandant may relax the conditions regarding the age or educational qualifications, prescribed in clauses (a) and (b) above in suitable cases.

4. *Application for appointment.*—A person to be appointed as member of the Home Guard shall submit an application in prescribed form 'A'.

5. *Home Guards Advisory Committee.*—(1) The Lieutenant Governor may appoint a Committee to be called the Home Guard Advisory Committee for the areas for which the Home Guards have been constituted under section 2.

(2) The Home Guards Advisory Committee shall consist of such members as may be nominated by the Lieutenant Governor.

(3) It shall be the duty of the Home Guards Advisory Committee to review the working of the Home Guards Organisation from time to time and to suggest measures regarding the improvement of the organisation.

6. *Pledge.*—Every person before his appointment as a member shall sign a pledge in prescribed form 'B' before the Commandant General or an officer authorised by him for this purpose.

7. *Certificate.*—Every person appointed as a member of the Home Guards shall receive a certificate of appointment on prescribed form 'C'.

8. *Term of office.*—The term of office of a member of the Home Guard shall be 3 years.

Provided that the appointment of any such member may, at any time, be terminated by the Commandant General or the Commandant as the case may be, before the expiry of the term of office.—

- (a) by giving one month's notice; or
- (b) without such notice if such member is found to be medically unfit to continue as a member of the Home Guards or has attained the age of 60 years.

Provided further that the Commandant General or the Commandant may relax the age limit in suitable cases.

9. *Conditions subject to which power of discharge may be exercised.*—No member of the Home Guards shall be discharged under sub-section (1A) of section (6B) unless the Commandant or the Commandant General, as the case may be, is satisfied that such member has committed an act detrimental to the good order, welfare or discipline of the Home Guards Organisation.

10. *Resignation.*—A member of the Home Guards may resign his office by an application in writing addressed to the Commandant General.

Provided that such resignation shall not take effect unless the Commandant General accepts the same after being satisfied that there are good and sufficient reasons for the same.

11. Organisation.—In Addition to the Commandant General, the Home Guards shall consist of Commandants and such officers and other ranks as may be considered necessary by the Commandant General.

12. Powers of the Commandant General and Commandant.—

1. The Commandant General shall exercise general supervision and control over the working of the Home Guards. He shall be directly responsible to the Lieutenant Governor for the efficient working, discipline, administration and training of the organisation.
2. Subject to the supervision and control of the Commandant General, the Commandant shall exercise supervision and control over the working of the Home Guards under his command. He shall be responsible to the Commandant General for the efficient working, discipline, administration and training of Home Guards, under his command.

13. Discipline.—(1) A member of the Home Guards shall obey every order of his superior officer.

(2) For the purpose of administration and discipline the members of the Home Guards shall be under the control of their own officers.

Provided that if a contingent of Home Guards is acting in conjunction with the ordinary Police Force, in the maintenance of Law and Order, the Senior Officer of such contingent present shall be under the immediate control and subject to the directions of the Senior Officer of such police force present, not below the rank of an Inspector.

14. Uniforms, accoutrements etc.—A member of the Home Guards shall, while on duty, wear the uniform supplied to him. He may also carry a rifle or a revolver or any other weapon, sanctioned by the Lieutenant Governor from time to time.

15. Training.—The members of the Home Guards shall undergo such course of training and at such place as may be determined and fixed by the Commandant General from time to time.

16. Functions and duties.—(1) The functions and duties of members of the Home Guards shall be such as may be assigned by the Lieutenant Governor or the Commandant General from time to time.

(2) A member of the Home Guards constituted for any area shall be liable to serve in any other area in which the Act is in Force.

17. Compensation.—If a member of the Home Guards suffers any damage to his person or property while under training or on duty, he shall be paid such compensation as may be determined by the Lieutenant Governor provided that such damage is not caused by his own negligence or wilful act or omission in contravention of any of the provisions of this Act or rules made thereunder or orders of directions issued by his superior officers.

18. Conditions of service.—

- (i) The Commandant General shall be an honorary functionary of the organisation and shall not be entitled to get any remuneration or salary for the discharge of his office.
- (ii) *Whole time employees.*—The additional Commandant General, if any, and the District Commanders and their Headquarters staff may be whole time salaried servants of the Himachal Pradesh Administration.

(iii) The Drill instructors employed in this connection will also be the whole time salaried servants of the Himachal Pradesh Administration.

19. *Pay of whole-time employees.*—The whole time salaried officers and staff shall receive pay at such rates as the Himachal Pradesh Administration may from time to time determine.

20. *Allowances.*—Each Home Guard shall be paid an allowance of 62 nP. on days when he attends parade with a view to enable him to meet the expenditure in respect of washing uniforms, boot polish etc. This allowance shall be subject to a maximum of Rs. 5 P.M.

21. When a member of the Home Guard is called to perform any of the functions under the Home Guards Act, the Administration shall provide free boarding and lodging or in the alternative grant a daily allowance of Rs. 3 per day to each member.

22. *Travelling.*—When members of the Home Guards have to travel from one place to another in the District or beyond for the purposes of training or duties, the scale of allowance as admissible to officers of the same grade in police should be made applicable to the different ranks of Home guards Organisation.

By order,
O. N. MISRA,
Chief Secretary.

Form 'A'

FORM OF APPLICATION

(Each applicant is required to fill this form in duplicate)

To

THE COMMANDANT,
HOME GUARDS,

I declare that I am a citizen of India and that I desire to be enrolled as a member of the Home Guards for.....and have no intention of permanently leaving the limits of the.....State offor at least three years after enrolment and that I am not under any obligation to serve in any other force.

I understand that—

- (1) In any emergency I shall be liable to be called out on duty at any time and for any period and in any part of the State of.....
- (2) I shall be liable to undergo training and attend parades in accordance with the orders of my superior officers.
- (3) I shall be required to take the following pledge, namely:—

“I.....resident atdo solemnly and sincerely declare and affirm that I will well and truly serve the Government of.....as a member of the Home Guards inwithout favour or affection, malice or ill-will or communal or political bias; and that I will to the best of my powers discharge the functions and duties assigned to me for the protection of peace, the security of property and the public safety and that I will to the best of my skill and knowledge discharge all the duties as such member faithfully according to Law and will not allow any communal and political bias to interfere with the duties assigned to me by Government or my superior officers”.

- (4) I shall be required to serve for a period of three years in the Home Guards unless I am allowed to resign in pursuance of the.....
Home Guards Rules.....
- (5) I shall ordinarily be liable to serve in any part of.....
- (1) Name in full.....
- (2) Address (Residence).....
(Business).....
- (3) Telephone No. (Residence).....
(Business) if any.....
- (4) Date of Birth.....
- (5) Place of Birth (Town).....
(Country or district).....
- (6) Occupation or profession.....
- (7) Education (Degree held or examination passed). (Special qualifications such as knowledge of foreign languages or Stenography or typing should be mentioned)
- (8) Particulars of war service or military or naval training or training with any First-Aid or Ambulance Corps.....
- (9) Father's name.....
- (10) Father's occupation or profession.....
- (11) If originally a resident of Pakistan the address in that Dominion and the date of migration to Indian Union.....
- (12) Particulars of places where you have resided for more than one year during the preceding five years.....

From	To	Residential address in full i.e., (Village, Thana and District or House Number, Lane/ Street and Road)
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The answers to the following questions are as given against them:—

- (1) Do you hold an arms licence? If so, give description of the weapon ..
- (2) Have you received any training in the use of fire-arms? ..
- (3) Do you own a motor vehicle? If so, give its description and whether you would join the motorised section; if not whether you would keep your vehicle at the disposal of the Motorised Unit ..
- (4) Have you ever been convicted by a Court of any offences? If the answer is 'yes' the full particulars of

the convictions and sentences
should be given ..

I declare that the above particulars are correct.

Date.....196 ..

(Signature.....).

Certificate of character signed by the gentlemen of position who have known you personally for at least three years should be written in space below:—

1..... (Signature of person who gives the certificates).

..... Address

Telephone No.....

2..... (Signature of person who gives the certificate).

..... Address

Telephone No.....

NOTES.— (1) If you are a Government servant or an employee in a local authority, a firm or any other office, you should send this form through your superior officer with his certificate that he has no objection to your attending the training and that he will release you for duty in an emergency at any time and for any period and in any part in the State of.....

(2) After completing the form you should post it or deliver it to the Commandant Home Guards, District you will receive intimation in due course whether your services can be utilised.

Certificate to be signed by the Employer or the Superior Officer.

I certify that I shall have no objection to the employee

.....attending the training on week days in the morning and that I shall release him for duty in an emergency at any time, and for any period, as laid down in paragraph (1).

(Signed).....

Dated.....

Employer or Superior Officers.

Full address.....

Telephone No. if any.....

Note by the Commandant Home Guards.

In requesting the Employer or the Superior Officer to issue the above certificate the Commandant desires to point out that emergencies such as those that are referred to in paragraph (1) are not likely to arise very often. Prospecting Home Guards, should, therefore, not be scared away, nor should be their Employers, or Superior Officers, hesitate to issue the above certificate for just this reason.

FORM 'B'

PLEDGE OF SERVICE

I,
residing at.....

- do solemnly and sincerely declare and affirm that I will well and truly serve the Government of.....as a member of the 'Home Guards' in....., without favour or affection, malice or ill-will, or communal or political bias; and that I will, with the best of my powers cause peace to be kept and preserved, and prevent all offences against persons and property, and that, while I continue to be a member of the Home Guards, I will, to the best of my skill and knowledge, discharge all the duties as such member, faithfully, according to law, and will not allow any communal or political bias to interfere with the duties assigned to me by Government or my Superior Officers.

Date

Taken in presence of:

Signature.

FORM 'C'

Certificate of appointment as a member of the Home Guards, which should be incorporated in the identification card.

No.

State of.....

Shri.....has been appointed as a member of the Home Guards for the (area)..... under the..... Home Guards Act.....

Signature.....

Designation.....

